

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

**RYAN ANTHONY CISLO,**

Petitioner,

v.

**J. SALAZAR,**

Respondent.

No. 3:18-cv-02081-SU

OPINION AND ORDER

**MOSMAN, J.,**

On June 10, 2019, Magistrate Judge Patricia Sullivan issued her Findings and Recommendation (F&R) [19], recommending that I deny Ryan Anthony Cislo's Petition for Writ of Habeas Corpus [2]. Neither party filed objections to the F&R.

**DISCUSSION**

The magistrate judge makes only recommendations to the court, to which any party may file written objections. The court is not bound by the recommendations of the magistrate judge but retains responsibility for making the final determination. The court is generally required to make a de novo determination regarding those portions of the report or specified findings or recommendation as to which an objection is made. 28 U.S.C. § 636(b)(1)(C). However, the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the F&R to which no objections are


addressed. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). While the level of scrutiny under which I am required to review the F&R depends on whether or not objections have been filed, in either case, I am free to accept, reject, or modify any part of the F&R. 28 U.S.C. § 636(b)(1)(C).

### CONCLUSION

Upon review, I agree with Judge Sullivan's recommendation and I ADOPT the F&R [19] in full. The Petition for Writ of Habeas Corpus [2] is DENIED. Because Petitioner has not made a substantial showing of the denial of a constitutional right, I decline to issue a certificate of appealability. *See* 28 U.S.C. § 2253(c)(2).

IT IS SO ORDERED.

DATED this 26 day of July, 2019.

  
MICHAEL W. MOSMAN  
Chief United States District Judge